

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

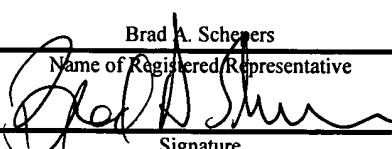
In re patent application of:)	Before the Examiner
Powers et al.)	Brian E. Pellegrino
)	
Serial No. 10/634,206)	Group Art Unit 3738
)	
Filed August 5, 2003)	Ref. No. MSDI-196/ PC934.00
)	
SURGICAL KIT AND METHOD FOR)	December 27, 2007
PROVIDING STERILIZED EQUIPMENT)	
FOR USE IN SPINAL SURGERY)	

RESPONSE TO FINAL OFFICE ACTION (WITH RCE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated September 27, 2006 and the Advisory Action dated December 21, 2006, please consider the following amendments and remarks. Remitted herewith is a Request for Continued Examination (RCE) and the requisite fee in the amount of \$790.00. Please charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
December 27, 2006	_____
Date of Deposit	_____
Brad A. Schepers	_____
Name of Registered Representative	_____
	_____
Signature	_____
December 27, 2006	_____
Date of Signature	_____

INTRODUCTORY COMMENTS

Claims 3-28, 30, 31, 33-39 and 56-72 were pending in the subject application for the final Office Action. Claims 10-16, 18, 19, 21, 27, 28, 30, 31, 33-39 and 56-72 have been withdrawn from consideration as being drawn to a non-elected species of the invention. Each of the remaining claims currently stand rejected. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.